28

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, CJ.

Writ Petition No. 3061 OF 2006

PETITIONERS

1. Kailashram, S/o Mathura, Caste-Rajwar, aged about 45 years.
2. Hukumsai, S/o Mathura Caste-Rajwar, aged about 50 years.

Both are resident of village Salka, Tahsil Surajpur, District Surguja (C.G.)

Vs.

RESPONDENTS

1. Bhuwneshwar, S/o Ramvilas, aged about 50 years, caste-Rajwar.
2. Thakuri, Widow of Ramvilas, aged about 65 years, caste – Rajwar.

Both are resident of village Salka, Tahsil Surajpur, District Surguja (C.G.)

3. Sub Divisional Officer, Surajpur, District Surguja (C.G.).
4. Board of Revenue, Chhattisgarh at Bilaspur, Through the Chairman.

Present : Shri Ashok Kumar Shukla, learned counsel for the petitioner.

ORAL ORDER

(Passed on 3rd July, 2006)

This writ petition arises out of mutation proceedings. The Board of Revenue which is the highest authority under the Chhattisgarh Land Revenue Code, 1959 (for short 'the Code') has held against the petitioner. The mutation effected by the revenue authorities under the Code are always subject to the decree that may be passed by a jurisdictional civil Court. If the petitioner is aggrieved by the mutation ordered by the sub-divisional officer as affirmed by the Board of Revenue, he can workout his legal remedies by instituting a suit in the jurisdictional civil Court. Reserving such liberty to the petitioner, the writ petition is dismissed.

Sd/-
Chief Justice